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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,976	06/26/2001	Hamzeh Karami	JWB-2001-10-P	4396

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08/25/2003

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EXAMINER

GRAY, LINDA LAMEY

ART UNIT

PAPER NUMBER

1734

DATE MAILED: 08/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,976

Applicant(s)

KARAMI ET AL.

Examiner

Linda L Gray

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003 and 03 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 1-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claims 1 and 33 are indefinite in that the claims recite severing "individual folded wing portions" in the last step of the claim. The specification defines the folded wing portions as each having a wing tab. However, claims 1 and 33 only require one wing tab to be applied to the web such that only one of the severed individual folded wing portions will have a wing tab.

Allowable Subject Matter

3. **Claims 1-33 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in this Office action.**

4. As allowable subject matter has been indicated, Applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

5. The following is a statement of reasons for the indication of allowable subject matter:

claim 1: the prior art of record to Keighley et al. (US 5,683,533) do not teach attaching a plurality of landing zones in spaced apart relationship on one surface of the web, that the attached wing tabs are on the edge of the web, that the fold is a Z-fold configuration, and forming a releasable bond on the longitudinal fold where landing zones are defined in the specification as strips of material having adhesive thereon; and,

claim 19: the prior art of record to Keighley et al. do not that the attached wing tabs are on the edge of the web, that the fold is a Z-fold configuration, and forming a releasable bond on the longitudinal fold where landing zones are defined in the specification as strips of material having adhesive thereon.

Also, **claim 1:** while Pozniak et al. (US 6,579,275 B1) teach a z-folded wing portions 60 having wing tab areas at 68 on the edge of portions 60, of a panty, Pozniak et al. do not teach a method of making the portions including feeding at least one wing-making material, attaching a plurality of landing zones in space apart relationship on a surface of the material, longitudinally folding the material, forming a releasable bond on the fold, feeding the chassis of the panty, and severing portions 60 from the material; and,

claim 19: while Pozniak et al. teach a z-folded wing portions 60 having wing tab areas at 68 on the edge of portions 60, of a panty, Pozniak et al. do not teach a method of making the portions including feeding at least one wing-making material, longitudinally folding the material, forming a releasable bond on the fold, feeding the chassis of the panty, and severing portions 60 from the material.

Response

6. This Office action is non-final in that a rejection under 35 USC 112, second paragraph, was inadvertently omitted from the Office action of 6-4-03.

Conclusion

7. Any inquiry concerning this communication or earlier communications should be directed to Examiner Linda L. Gray at (703) 308-1093, Monday-Friday from 6:30 am to 3:30 pm. The necessary fax numbers are (703) 872-9310 and (703) 872-9311.

llg
August 20, 2003


LINDA GRAY
PRIMARY EXAMINER